

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

No. CIV 12-257 JB/LFG

LARRY A. GOLDSTONE, et al.,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court on the parties Joint Status Report and Provisional Discovery Plan, filed June 1, 2012 (Doc. 43). The Court held an Initial Scheduling Conference on June 15, 2012 and set certain deadlines and settings as contained herein. Accordingly, the termination date for fact discovery is **March 1, 2013**, and discovery shall not be reopened, nor shall case management deadlines be modified, except by an order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

Motions relating to fact discovery shall be filed with the Court and served on opposing parties by **March 20, 2013**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. This deadline shall not be construed to extend the twenty-day time limit in D.N.M.LR-Civ. 26.6.

As to requests for admission, the Court will allow 50 by each party to any other party.

The Court will allow a maximum of 15 depositions per side.

Reports from retained experts under Rule 26(a)(2) due:

Expert reports in support of issues where the party propounding bears the burden of proof (“Opening Expert Report”) shall be due no later than **April 1, 2013** or 90 days after the Court files a memorandum opinion deciding the last of the Defendants’ motions to dismiss, whichever is later.

For expert reports in support of issues where the party propounding does not bear the burden of proof (“Rebuttal Expert Reports”) shall be due no later than **May 1, 2013** or 120 days after the Court files a memorandum opinion deciding the last of the Defendants’ motions to dismiss, whichever is later.

Reply expert reports, which shall address only a new issue, if any, that was raised in a Rebuttal Expert Report shall be due no later than **May 22, 2013** or 141 days after the Court files a memorandum opinion deciding the last of the Defendants’ motions to dismiss, whichever is later. If a party fails to provide an Opening Expert Report on any issue, that party may not file a Reply Expert Report on that issue.

Motions relating to experts shall be filed with the Court and served on opposing parties **20 days after expert disclosure deadline.**

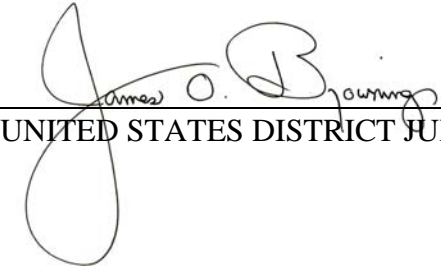
Daubert motions shall be due 45 days after the expert discovery deadline.

If documents are attached as exhibits to motions, affidavits or briefs, those parts of the exhibits that counsel want to bring to the attention of the Court must be highlighted in accordance with D.N.M.LR-Civ. 10.6.

A Status Conference is scheduled in this matter on **January 7, 2013 at 9:00 a.m.**

A Pretrial Conference will be set 30 days after the Court rules on the last of the parties' motions for summary judgment.

IT IS SO ORDERED this 11th day of July, 2012.



UNITED STATES DISTRICT JUDGE